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Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004)

I. Introduction

1. In paragraph 30 of resolution 1546 (2004) of 8 June 2004, the Security Council requested the Secretary-General to report to the Council within three months from the date of the resolution on the operations of the United Nations Assistance Mission for Iraq (UNAMI) and, on a quarterly basis thereafter, on the progress made towards national elections and fulfilment of all the Mission's responsibilities. The present report is the second submitted pursuant to that resolution.

2. The report provides an update on United Nations activities in Iraq since the last report (S/2004/710 and Corr.1 of 3 September 2004). The report also provides a summary of key developments in Iraq and an update on security arrangements for the United Nations presence in Iraq. It focuses on the priority tasks for the United Nations set forth in resolution 1546 (2004). It pays particular attention to the role of the United Nations in the political process, including preparations for the planned elections, and the work of my Special Representative for Iraq.

II. Summary of key developments in Iraq

A. Overview

3. The current security situation remains a major challenge. Although certain parts of the country, especially in the south, remain relatively calm, violence continues to adversely affect the centre of the country, particularly in and around Baghdad and other key cities, such as Fallujah, Samarra, Ramadi and, more recently, Mosul. Iraq's security and law enforcement institutions remain fragile. Attacks, including acts of terror, against State institutions and Government officials, at both the national and the governorate level, as well as against members of the multinational force, Iraqi security forces and civilians, including aid workers, continue unabated. Abductions and hostage-taking are also reported almost on a daily basis.

4. On 7 November, the Interim Government of Iraq, under the National Safety Law, declared a 60-day state of emergency in all parts of Iraq, except the three

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northern governorates. Specific measures were announced for Fallujah and Ramadi. These included the imposition of a 24-hour curfew in Fallujah, restrictions on movement of vehicles inside Fallujah, the closure of all public buildings in the two cities, revocation of weapon permits, disbandment of the local police, the closure of borders with the Syrian Arab Republic and Jordan and a temporary closure of Baghdad International Airport for civilian traffic. Since then, curfews have been imposed on other cities, including Baghdad, Bayji, Mosul, Najaf, Ba'qubah and Samarra. The state of emergency extends through a substantial period of the electoral process, including the certification process for political entities, the voter registration process, and the electoral campaign period.

5. During the period under review, central Iraq, between Mosul (Ninawa) in the north and Latifiyah (Babil) in the south and from Qaim (Al Anbar) in the west to Ba'qubah (Diyala) in the east, has witnessed a particularly high level of insurgent and military activity. The city of Fallujah has been a particular flashpoint in this regard. On 3 November 2004, the Interim Government authorized Iraqi security forces and the multinational force to regain control of Fallujah through military action. While the Interim Government appears to have regained control over most of Fallujah, there are also reports that insurgent groups may have relocated to other localities outside of Fallujah.

6. South of Baghdad, in Iskandariyah, Latifiyah and Mahmudiyah, there have been armed encounters between sectarian groups. Fighting has also occurred between armed groups and Iraqi security forces and the multinational force. In Sadr City, Iraqi security forces and the multinational force were engaged militarily, while, at the same time, the Interim Government engaged local leaders to resolve outstanding socio-economic and political issues. As a result, an arrangement was reached whereby insurgents were to lay down arms in a government weapons buy-out programme in exchange for a commitment by the authorities to rehabilitate long-neglected neighbourhoods. A partial amnesty was also announced. At the time of writing, order has been restored in Sadr City.

7. Recently, Kirkuk, Mosul and other locations have witnessed increased violence. In Mosul, there was fighting between armed groups and the multinational force and Iraqi security forces in the aftermath of the Fallujah operation. In Kirkuk, grievances appear to be linked in part to the settlement policies carried out by the previous regime, which are being challenged by returning Kurds who were forced out of the area and are seeking to reverse those policies. The three Kurdish governorates have been relatively quiet, following a series of attacks earlier this year which resulted in the death of a number of officials of the Kurdistan Regional Government and civilians.

8. The ongoing violence, the causes, sources and motivations of which are not monolithic, reflects deeper grievances and cleavages between and within Iraqi communities. Carefully designed political solutions are required to address this situation. A mutually reinforcing dynamic between a credible political process and an improving security situation offers the best hope for achieving the goal of a stable, durable and democratic transition.

B. The transitional political process

Elections

9. The most immediate priorities in the transitional process are the preparations for direct and democratic elections. The exclusive jurisdiction for the oversight, organization and conduct of the transitional elections has been vested in the Independent Electoral Commission of Iraq. The United Nations advises and supports the Commission in its work. According to the Transitional Administrative Law, elections are to be held to the Transitional National Assembly, the governorate councils, and the Kurdistan National Assembly. Subsequent to the elections, the Transitional National Assembly will write the draft of a permanent constitution by no later than 15 August 2005, which would then be presented to the Iraqi people for approval in a general referendum to be held no later than 15 October 2005. If the constitution is approved in the referendum, elections for a permanent government will be held no later than 15 December 2005.

10. Technical preparations for the elections remain on schedule. An update on United Nations technical electoral assistance activities is provided in section IV.B of this report. On 21 November 2004, the Independent Electoral Commission announced that the elections had been scheduled for 30 January 2005. The Interim Government has called on all Iraqis to register and vote. While a number of parties and other entities have announced their support for the elections to be held as scheduled, others have announced that they might boycott the elections. This underlines the urgent need to promote consensus on this important issue within the broader framework of the challenge of national reconciliation.

Interim National Council

11. Following its formation by the National Conference in August 2004, the Interim National Council held its inaugural meeting on 1 September 2004 and has met periodically since then. Its powers and functions are laid down in the annex to the Transitional Administrative Law. According to the Law, the main functions of the Interim National Council are to promote constructive dialogue, create national consensus, and advise the Presidency Council and the Council of Ministers. The Interim National Council has the authority to monitor the implementation of laws, follow up the work of the executive bodies, appoint replacements to the Presidency Council in cases of resignation and death, interpellate the Prime Minister and the Council of Ministers, and veto executive orders by a two-thirds majority vote of its members within 10 days of being informed of such orders approved by the Presidency Council. The Interim National Council also has the right to approve the national budget for 2005, to be proposed by the Council of Ministers, and to set its internal regulations.

12. As part of its initial acts, the Council framed by-laws and rules of procedure and selected its leadership consisting of its President, Fouad Massoum (who also served as Chairman of the National Conference), two vice-presidents and four deputies. The Council forms part of the Interim Government along with the Council of Ministers, the Prime Minister, the Presidency and the Judicial Authority. The term of the Council is limited, and will end when a transitional government is established after the elections to be held in January 2005.

13. The Interim National Council has established 13 committees to consider a wide range of issues. These include, among other things, out-of-country voting, Government policy regarding Iraqi debt, the planned census and elections. The Council has also considered security matters and invited the Minister of the Interior to inform the Council on related developments. In addition, the Council has discussed initiatives pertaining to national reconciliation. Some of its members were engaged in discussions to end the crisis in the Sadr City neighbourhood of Baghdad. The Council has carried out its work with minimal publicity. Meetings of the Council are held in the convention centre in the international zone.

C. Regional developments pertaining to Iraq

14. During the period under review, renewed efforts at regional and international confidence-building were undertaken. On 23 November 2004, Egypt hosted an international ministerial meeting on Iraq in Sharm el-Sheikh, bringing together Iraq's neighbours, other regional actors and key members of the wider international community. The meeting was attended by the group of countries neighbouring Iraq (Egypt, Islamic Republic of Iran, Jordan, Kuwait, Saudi Arabia, Syrian Arab Republic, Turkey), the G-8 (Canada, France, Germany, Italy, Japan, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America), China (as the only other permanent member of the Security Council), Algeria, Bahrain, Malaysia, the Netherlands and Tunisia, the League of Arab States, the Organization of the Islamic Conference, the European Union and the United Nations. I was accompanied by my Special Representative for Iraq, Ashraf Jehangir Qazi, and my Special Adviser, Lakhdar Brahimi.

15. In my address to the meeting, I emphasized the need to address the twofold challenge pertaining to the situation in Iraq today, namely to promote convergence both inside Iraq and in the international community. The meeting concluded with the adoption by consensus of a final communiqué. In the communiqué, the participants, inter alia, affirmed the right of the Iraqi people to a secure and stable life and to determine freely their future through democratic means and to exercise full control over their natural and financial resources. They also stressed the leading role of the United Nations in supporting, as circumstances permit, the political process in Iraq stipulated in paragraphs 4 and 7 of resolution 1546 (2004). The Ministers further welcomed the leading role the United Nations has played in terms of advice and support for the process of holding elections, including the recent decision to deploy more electoral staff to Iraq. They called upon the international community to provide the assistance necessary to protect the United Nations in Iraq.

16. The participants further welcomed the efforts by the Interim Government of Iraq and other leaders of the Iraqi community to broaden political participation, by encouraging all elements who reject violence to engage in the political and electoral process through peaceful means. They encouraged the Interim Government to convene in Iraq, at the earliest date and before the general elections, representatives of the Iraqi political spectrum and civil society to inform them of the results of the meeting, so as to advance nation-building and national reconciliation with a view to encouraging broader participation in the elections.

17. As a follow-up to the meeting, the communiqué directs representatives of the participants to regularly review progress in implementing the conclusions reached

and to report to ministers on the outcome of their follow-up meetings, the first of which is to be held in February 2005. In the meantime, the participants agreed on a consultative follow-up process on the implementation of the communiqué until the elections. I wish to thank the Government of Egypt for having hosted the meeting, which was the first multilateral gathering on Iraq outside the Security Council.

18. At the same time, Iraq, its neighbours and Egypt have continued to meet — at the level of Foreign Ministers in Sharm el-Sheikh on 22 November, and at the level of Interior Ministers in Tehran on 30 November. My Special Representative participated in both meetings.

III. Update on security arrangements for the United Nations presence in Iraq

19. During the reporting period, certain parts of Iraq continued to experience a very serious security situation. In addition to attacks on the multinational force and other targets, the main threat was clearly directed at the new Iraqi police and armed forces. The scale of the attacks and the general level of related political violence, notably kidnappings and assassinations, contributed to the Interim Government's imposition of a state of emergency on 7 November 2004. In view of the very high and in some cases intensifying levels of violence in certain parts of Iraq, staff security remains the overriding constraint for all United Nations activities throughout the country. The most recent review by the United Nations Security Coordinator assessed the threat to United Nations personnel in Iraq as remaining in the critical category, necessitating continuation of the very extensive staff protection measures set out in paragraphs 5 to 7 of my report to the Security Council of 5 August 2004 (S/2004/625).

20. The recent rise in the ceiling for the deployment of United Nations staff in Iraq, which has been undertaken primarily in support of the electoral process, is, therefore, confined to the "international zone" in Baghdad. The necessary protection arrangements in the international zone described in paragraph 84 of my report of 5 December 2003 (S/2003/1149) are now in place. Movement outside the international zone remains extremely hazardous. The United Nations and other international organizations remain high-value, high-impact targets. Any expansion of United Nations staffing or activities outside the international zone will require not only implementation of the extensive protection arrangements set out in previous reports, but also a qualitative improvement in the overall security environment.

21. As set out in paragraph 25 of my previous report (S/2004/710 and Corr.1), the multinational force is carrying out broad area security, escorting United Nations movements, and controlling access to and protecting the outer perimeter of United Nations facilities. An agreement is being negotiated with the United States, as the State whose armed forces are vested with the unified command of the multinational force, concerning protection by the multinational force of the United Nations presence in Iraq. Pending the conclusion of such an agreement, the United Nations and the United States have exchanged letters recording their mutual understanding of the security framework applicable in respect of UNAMI. The letters cover matters such as security of UNAMI premises, security for UNAMI movements,

search and rescue, emergency medical evacuation, bomb disposal, disaster response and exchange of security information.

22. In accordance with paragraph 13 of resolution 1546 (2004), the United Nations continues to support efforts by the multinational force to encourage Member States to provide troops or to make financial contributions for the creation of a distinct entity under unified command of the multinational force with a dedicated mission to provide security for the United Nations presence in Iraq. Following the offer from several Member States to provide financial support to the distinct entity, the President of the Security Council informed me on 30 November of the decision by the Security Council to endorse the creation of a United Nations trust fund for accepting and administering contributions from Member States for the purpose of financially supporting the distinct entity. I decided to establish a United Nations trust fund for that purpose on 30 November.

23. In addition to the protection provided by the multinational force, there is a requirement for an integrated United Nations security structure, including security of the United Nations premises and personal security details. Since my previous report, an initial group of protection coordination officers has been recruited and deployed to Iraq. In addition, the necessary personal security details have been recruited. They are undergoing final equipping, training, and technical certification for duty in Iraq. Pending completion of this process, the United Nations will have to continue to rely on the multinational force for the provision of personal security details.

24. Following the receipt on 1 October 2004 of a letter from the President of the Security Council welcoming the proposal in my letter of 23 September for the recruitment and deployment of a guard unit consisting of formed units of armed civilian police, military or paramilitary personnel, a contingent of 135 military personnel has been provided by a Member State. This United Nations guard unit, which is completing its training prior to deployment to Baghdad, will be responsible for controlling access to, and conducting patrols within, UNAMI facilities. Financial arrangements with the contributing Member State are in accordance with the current practice associated with peacekeeping missions. The United States has deployed and undertaken to continue to provide from the multinational force a dedicated company-sized unit for protection within United Nations facilities in the international zone until the United Nations guard unit has arrived and assumed operational responsibility.

25. The United Nations will continue to rely on the multinational force and Member States for air transport to and from Baghdad, as well as within Iraq, until such time as there is a capability for the United Nations to resume its own flight operations. In order to reduce the numbers of international personnel required in Iraq, the United Nations will also continue to rely heavily on logistics, medical, and other administrative services provided by Member States on a bilateral, cost-recoverable basis.

26. In paragraph 89 of my report of 5 December 2003 (S/2003/1149), I stated that establishing the necessary security conditions for the United Nations to operate in Iraq would be a time-consuming and expensive process. The security measures needed to enable the United Nations to operate in Iraq on even a modest scale are extremely costly in personnel and special equipment. I therefore hope that the United Nations can count on the full support of Member States to provide the

necessary resources and equipment to UNAMI to mitigate the very high threats and risks attached to the work of the United Nations in Iraq.

IV. Update on the activities of the Mission

A. Activities of the Special Representative of the Secretary-General and his political team

27. During the reporting period, my Special Representative and his political team have continued to forge contacts with the Interim Government of Iraq, political and religious leaders, public figures and representatives of civil society. He has held meetings with members of the Interim National Council. UNAMI also attended on an informal basis some of the sessions of the Interim National Council's committees. In addition to attending discussions between the Prime Minister and local leaders from Sadr City and Fallujah, my Special Representative has held meetings with the Association of Muslim Scholars, various Sunni groups and the Shi'ah House in Baghdad as well as leaders from Fallujah. My Special Representative has also met in Arbil and Sulaymaniyah with representatives of the Kurdistan Regional Government and political leaders from the region.

28. My Special Representative and UNAMI closely followed developments in and around Fallujah and met with key officials of the Interim Government and representatives of the diplomatic community and of the multinational force to obtain a comprehensive understanding of the situation. UNAMI also met political and civic leaders from the city prior to the start of the conflict, urging them to come to arrangements with the Interim Government which would lead to a peaceful resolution of the crisis. In his discussions, my Special Representative reaffirmed the United Nations concerns about the long-term implications and the negative impact the use of force might have on the immediate security situation in other parts of the country and on the political environment in the run-up to the elections. Meanwhile, UNAMI, in coordination with United Nations agencies, non-governmental partners and the Interim Government, made a concerted effort to identify the needs of those displaced or affected by the fighting and assist in the coordination and delivery of assistance.

29. Apart from the crisis in Fallujah, my Special Representative has devoted his efforts to engage as wide a section of the Iraqi political spectrum as possible on how to advance the political process and to establish a conducive environment for the planned elections. In conjunction with the UNAMI Chief Electoral Officer, special meetings have been held with political party leaders to clarify elements of the electoral process. These efforts are to be intensified in the coming weeks. Efforts are being made to ensure that the electoral process is understood. Special attention has been given to highlighting the importance of ensuring that the electoral process is as inclusive, participatory and transparent as possible, as well as recognizing and respecting the independence and autonomy of the Independent Electoral Commission.

30. As part of his ongoing efforts, my Special Representative has also continued to meet with representatives of the diplomatic community, senior officials of the multinational force and visiting officials from Member States, to discuss issues relevant to the implementation of the United Nations mandate pursuant to resolution

1546 (2004). In addition, he visited Kuwait and Jordan as the other host countries to UNAMI, to meet senior State officials of the two countries and heads of United Nations agencies. In the context of the regional meeting of Interior Ministers in Tehran, my Special Representative also visited the Islamic Republic of Iran from 29 November to 1 December 2004 and met with senior Government leaders. Time permitting, the Special Representative intends to visit all neighbouring countries in the near future. He and his political team are widening the network of contacts in fulfilment of the political, electoral and humanitarian aspects of the United Nations mandate.

31. In the coming quarter, my Special Representative will continue to make efforts to seek common ground between those who have chosen to participate in the political process and those who have so far remained outside. In all his discussions with civic, political and political actors, he has drawn attention to the need for the Transitional National Assembly to be an institution truly representative of Iraq's diverse society, in order for it to draft a constitution for all Iraqis and to contribute to shaping Iraq's future.

32. I would like to take this opportunity to thank Ross Mountain, the Deputy Special Representative of the Secretary-General for UNAMI, who for several months served as my Special Representative ad interim and Humanitarian Coordinator for Iraq, for his excellent leadership of the mission during a painful and difficult transition. Mr. Mountain completed his service with UNAMI in November to assume a new senior position within the Organization.

B. United Nations electoral assistance activities

33. The Independent Electoral Commission of Iraq has established itself as a credible institution and is carrying out its tasks in an effective manner. Despite the difficult security situation and extremely tight timelines, the framing of electoral regulations and the progress of electoral operations are generally on track for the holding of elections in January 2005. UNAMI guidance during the formative phase of institution-building has been critical, as has been the international expertise provided through Member States and other electoral organizations.

34. An electoral cluster was established under the United Nations Development Group Iraq Trust Fund within the International Reconstruction Fund Facility for Iraq. The cluster encompasses all necessary support activities to the Independent Electoral Commission for the preparation, administration and organization of the elections of January 2005. It also provides a series of indirect electoral activities such as enhancement of women's participation, national observation, media development, political entity development and support to vulnerable groups. To date the cluster has received voluntary contributions for a total of $110 million from the following donors: Australia, Belgium, Canada, Finland, India, Japan, New Zealand, Norway, Republic of Korea, Sweden, United Kingdom and the European Commission. The contributions are disbursed in projects and activities in support of the work of the Independent Electoral Commission, which are agreed upon with the Commission.

35. In setting up the electoral administration, the electoral component of UNAMI has provided advice on the institutional framework and functions. More than 600

staff have so far been recruited for the Commission's headquarters in Baghdad, the Kurdistan regional office, and offices in the 18 governorates.

36. Concurrently with the growth of the electoral administration, the international technical assistance under the coordination of UNAMI has been consolidated. The number of UNAMI electoral experts, which security restrictions had previously limited to 10, was raised in November to meet the growing needs; 19 electoral staff are now deployed in Baghdad and 11 in Amman. Three electoral staff are providing support from United Nations Headquarters. In addition, 13 experts from other agencies have joined the international electoral assistance team.

37. Training of election staff has been a high priority for the UNAMI electoral assistance programme. Induction training was provided in Amman to senior staff members of the Electoral Commission. Operational training for the voter registration process was conducted using a cascade model, with initial training of trainers in Amman, followed by a cascade of training throughout Iraq.

38. In parallel with establishing a new electoral administration across the country, the Independent Electoral Commission has developed the regulatory framework for the elections. The UNAMI electoral component has assisted in the development of the regulations, which cover the following areas: internal rules of procedure for the Electoral Commission; voter registration; the certification of political entities and coalitions and their candidate nominations, along with a code of conduct for political entities; accreditation of and codes of conduct for observers and agents of political entities; the electoral campaign; voter registration and the exhibition and challenge operations; governorate council elections; and out-of-country registration and voting. Regulations concerning elections offences and adjudication of disputes will shortly be finalized. Regulations governing polling and counting are under preparation. The regulation on the election for the Kurdistan National Assembly has recently been approved.

39. The public distribution system database, a copy of which was handed over to the Independent Electoral Commission at the end of August, has been transformed into a voter register. The process of amendment and correction of the register, known as voter registration, started on 1 November and will continue until 15 December. Registration information forms, showing the details of all eligible voters in each family, are being distributed to families together with their November food allocation. At voter registration centres throughout the country, eligible voters can amend their details if necessary, or, if their names are missing from the voter register, they can be added on production of appropriate documentation. Of the 542 planned voter registration centres, 458 have so far been established.

40. The period for the certification of political entities and coalitions, and the nomination of candidates, also began on 1 November. Groups from Al Anbar and Ninawa Provinces have requested special conditions, as the security situation has been an obstacle for fulfilling the administrative procedures for certification. The Commission has agreed, for the sake of inclusiveness, to extend the certification period of political entities in Al Anbar, Ninawa and Salah Ad Din Provinces from the original date of 30 November to 2 December. In addition, in order to provide additional opportunity for prospective candidates to come forward, the Electoral Commission has also decided to extend the certification period for the candidate lists of political entities and coalitions from 30 November to 10 December. As at

29 November, 240 entity certification applications have been received, 228 of which had received certification. The others have remained under consideration.

41. Increasing emphasis is being placed on the public information programme to ensure that the general public is informed about the electoral process. In addition, it was important to publicize and authenticate the Independent Electoral Commission. A total of $5 million was spent to bring the body and its role to the attention of the public. Subsequently, information has been disseminated on voter registration and the certification of political entities. Information campaigns have utilized posters, television commercials, frequently asked questions and fact sheets, presentations and the press. The Commission's public information programme has been supported throughout by the international assistance team.

42. Following a request from the Electoral Commission to the United Nations for the services of specialized consultants to present practical options on out-of-country voting, an initial assessment was conducted by the International Organization for Migration (IOM). The results were presented to the Electoral Commission on 29 October 2004. The IOM study outlined three possibilities: (a) no out-of-country voting at all; (b) limited out-of-country voting for the January elections; or (c) no out-of-country voting for the January elections but more comprehensive out-of-country voting for future elections, with planning and preparation starting immediately. The Electoral Commission chose option (b), which it felt would meet the significant and immediate demand for enfranchising Iraqis living abroad.

43. Although limited, this option nevertheless requires substantial financial resources (between $90 million and $100 million). The Electoral Commission met with the Interim Government, which indicated that it would provide the necessary funds. UNAMI advised against the adoption of an out-of-country voting process for a variety of administrative and technical reasons. However, the Independent Electoral Commission is the sole body with the authority to make decisions on all matters of policy related to elections. Its decision on this matter will be respected by the United Nations. Consequently, the UNAMI electoral component has continued to provide the necessary technical support and advice to all electoral preparations, including the out-of-country electoral programme.

44. Given the volatile security situation across the country, robust election security is fundamental for putting the electoral structures in place and sustaining the operations leading to elections. Early in the process an electoral security planning team was established with the participation of the Independent Electoral Commission, the Iraqi security agencies and the multinational force to provide security for electoral staff, voters and candidates. The Iraqi security forces, with the support of the multinational force, are prepared to provide assistance on security within agreed parameters consistent with international electoral standards.

45. While the threat level to the electoral process is high, the actual number of incidents thus far has been limited. Electoral structures have been established in all governorates. However, in Al Anbar, particularly in Ramadi and Fallujah, they are fragile. In the Ninawa governorate, the group led by Abu Musab al-Zarqawi threatened the election office, which led to the resignation of the majority of the staff. New staff have been recruited. The office is in the process of being re-established. The Ninawa governorate has also been affected by the recent fighting in Mosul. A few other minor incidents across the country have come to the attention of the Electoral Commission and UNAMI.

46. With the exception of Al Anbar Province, it should be noted that all election materials required for operations for this stage have reached their destinations intact. However, a recent attack on a food warehouse in Mosul resulted in the destruction of a large number of that city's registration information forms. The fact that the number of incidents has been limited so far should not deflect attention from the very tense security environment.

47. One of the immediate challenges in institutionalizing the election process has been to establish and consolidate the legitimacy and authority of the Electoral Commission. UNAMI has strongly emphasized, through its contacts with the Government, political parties, civil society, Member States and international organizations, the need to ensure that the Commission maintains its independence and autonomy.

48. Despite the progress made in the electoral process, the difficulties that lie ahead should not be underestimated. Public expectations of the elections are high and the obstacles significant, particularly since the security situation remains volatile. My Special Representative and his Chief Electoral Officer are mindful of the challenges that lie ahead but are prepared to engage the resources of the United Nations to continue to support the objectives and decisions of the Independent Electoral Commission.

C. Capacity-building and humanitarian assistance

49. Humanitarian, reconstruction and development activities inside Iraq remain constrained by the security situation and the resulting limitations on the number of staff deployed inside Iraq. Recent kidnappings and murders of national and international aid personnel demonstrate the increased risk to which international agencies operating in Iraq are exposed. This has prompted more international agencies to cease operations in November.

50. The United Nations, through a number of agencies, programmes and IOM, has focused on a broad range of capacity-building activities in collaboration with the respective line ministries. An extensive training programme comprising over 46 workshops across UNAMI clusters, involving 11 ministries and other government bodies, was successfully completed during the reporting period.

51. Despite the fragile security environment the United Nations was able to continue reconstruction and rehabilitation efforts throughout Iraq in partnership with international and national non-governmental organizations as well as private contractors. Those activities included the rehabilitation of schools; strengthening vocational education; building capacity in the Ministry of Health, including both the central public health laboratory and the central blood bank in Baghdad; rehabilitation of water treatment plants; rehabilitation of power plants and upgrading of transmission systems; construction of housing projects for selected vulnerable groups in urban centres; supporting the public distribution system and the procurement and delivery of food items; capacity-building support to the National Mine Action Authority; protection and material assistance to internally displaced persons and returning Iraqi refugees; capacity-building support for the Ministry of Displacement and Migration and other Iraqi counterpart authorities; support for the creation of employment opportunities; capacity-building support to the Ministry of Labour and Social Affairs; capacity-building support to the Ministry

of Planning and Development Coordination; support to civil society through professional organizations and women's groups; and support to the electoral process, including voter education programmes for women.

52. Through the Emergency Coordination Group, United Nations agencies and their partners assess, plan and deliver humanitarian assistance through available channels, such as ministries, local non-governmental organizations, local staff of international non-governmental organizations and the Iraqi Red Crescent Society. Civil-military coordination links have been established with the multinational force in Baghdad, facilitating dialogue on a range of issues, including humanitarian access. During crisis situations, emergency working group meetings are held several times a week, while humanitarian bulletins and situation reports are published almost daily on the Internet at www.uniraq.org.

53. A total of 4.5 million children, covering a majority of children 5 years old and under, received two doses of polio vaccine through a national campaign undertaken all across Iraq from 4 to 9 September, led by the Health Ministry and supported by the United Nations.

54. The crisis in Fallujah has generated a larger number of people in need of assistance than previously estimated. In a preliminary assessment, IOM found that approximately 220,000 inhabitants of Fallujah had become internally displaced. This has placed additional demands on the capacity of the Interim Government and international assistance mechanisms as well as host family resources.

D. International Reconstruction Fund Facility for Iraq

55. The donor committee of the International Reconstruction Fund Facility for Iraq held its third meeting in Tokyo on 13 and 14 October, where donors were updated on World Bank and United Nations Development Group Trust Fund activities. Over $600 million has been pledged so far, of which $447 million has been received from donors. During the meeting, the Islamic Republic of Iran pledged $10 million to the United Nations reconstruction efforts in Iraq, thus becoming a new member of the donor committee. Australia, Denmark, New Zealand, the Republic of Korea and the European Union recently pledged funding to electoral assistance activities. Since the establishment of cluster 11 in August 2004, more than $46 million has been committed in support of the Independent Electoral Commission. At the meeting, the Interim Government presented the national development strategy for Iraq. The United Nations provided assistance in the formulation of the strategy at the request of the line ministries.

56. Overall, United Nations agencies have now programmed over $490 million in 48 projects, of which $103 million has been committed and $20 million disbursed. It is assisting key Iraqi ministries to work with the United Nations Development Group as one entity facilitating collaborative joint programming. It is expected that $143 million will be committed to projects by the end of 2004.

E. Human rights activities

57. The high level of violence in certain parts of the country and widespread challenges to the rule of law raises significant human rights concerns, including

increased restrictions on basic freedoms concerning movement and information and access to education, health and employment. The recent surge in fighting in many urban areas and air bombardment of targets in Najaf, Tall Afar, Samarra, Sadr City, Fallujah, Mosul and other towns has also caused civilian casualties and the destruction of civilian infrastructure.

58. Individuals associated with the Interim Government, the multinational force, international organizations and non-governmental organizations have been the victims of killings and kidnappings. Iraqi and foreign hostages have been executed. There are reports of tensions among national groups, particularly in areas around Kirkuk. Many Iraqi Christians targeted by extremist religious groups have temporarily moved to neighbouring countries or to safer areas in the Kurdish governorates.

59. The search for security should not result in an erosion of human rights guarantees at a time when the re-establishment of the rule of law faces formidable challenges. This situation is compounded by inadequately trained and insufficient numbers of law enforcement personnel — many existing members and recruits of the new Iraqi police are continuously targeted. Legal and judicial reform, accompanied by further training of judges, prosecutors and lawyers, is needed to bring Iraqi legislation and judicial practices into compliance with international human rights standards. The Minister of Human Rights and the Minister of Justice have demonstrated a keen interest in bringing national legislation into line with international human rights standards by ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

60. On 16 November, the United Nations High Commissioner for Human Rights publicly expressed concern about the situation in Fallujah. She expressed concern at the lack of information regarding the number of civilian casualties. In addition, she considered that all breaches of international humanitarian law and human rights law — including deliberate targeting of civilians, the killing of injured persons and the use of human shields — had to be investigated and those responsible for breaches brought to justice.

61. In order to support the Interim Government in addressing the many human rights challenges facing the country, the UNAMI Human Rights Office and the Office of the High Commissioner developed a human rights programme for Iraq to coordinate the interventions of the United Nations country team and other partners in promoting human rights and the rule of law. The United Nations Development Fund for Women set up a network of gender focal points within the ministries, organized training activities and launched a project to enhance women's participation in elections. UNICEF, together with the Ministry of Municipalities and Public Works, is implementing a project on juvenile justice. The United Nations Environment Programme has begun a project on the rehabilitation of marshlands, restoration of habitat and return of the original inhabitants. UN-Habitat held a symposium on housing rights in Amman. The Office of the United Nations High Commissioner for Refugees worked closely with the Ministry of Displacement and Migration supporting it in defining a strategy for internally displaced persons. The United Nations Development Programme was a partner in many of those activities and is also working on media development. UNAMI maintains close contact with the Ministry of Human Rights to provide advice and materials.

62. An expert consultation on missing persons was organized by the United Nations on 8 and 9 November in Amman to assist and support the Interim Government in establishing a national centre on enforced or involuntary disappearances. There was an emerging consensus regarding the establishment of such a centre. A follow-up meeting will be held in January in Amman.

F. Public information activities

63. The UNAMI Public Information Unit has worked on generating a better public understanding of the United Nations mandate in support of the transitional political process in Iraq. It has also sought to highlight the efforts of the United Nations aimed at providing support for reconstruction and humanitarian activities. UNAMI has engaged the media through statements, interviews and background briefings for journalists to ensure accurate and relevant dissemination of information on its activities and mandate. It has also sought to address misconceptions about the United Nations through a coherent media policy based on access and substantive and timely engagement.

64. The Public Information Unit has set up a monitoring unit which collects and analyses information on the media and issues pertinent to the United Nations mandate in Iraq. This information is made available to key players in the United Nations and other users. Information kits about the work of various UNAMI clusters have been produced and circulated. The UNAMI web site is regularly updated incorporating new contributions. UNAMI organized two public information training workshops for Iraqi journalists in Amman. Activities in the next phase will focus on the implementation of a wide-ranging public information strategy. Elements of the strategy will include setting up institutional links between the United Nations and various Iraqi media and public information outlets. Lectures, seminars and conferences will be organized to ensure positive interaction between the United Nations and Iraqi media organizations and other public institutions. Through regional and international media UNAMI officials engage with the public to explain and further the political, electoral and humanitarian objectives of the Mission's mandate.

65. Given the isolation of the Iraqi media during the sanctions and the previous regime, UNAMI will encourage capacity-building with interested members of the Iraqi journalist community. Training of Iraqi journalists and public information officers will be an essential component of the public information strategy.

G. Administrative support

66. UNAMI continued to maintain its headquarters in Baghdad. It also has offices in Amman and Kuwait. Planning and preparations for the establishment of two regional offices in Basrah and Arbil are under way, as circumstances permit. At this time, the premises in Baghdad (for UNAMI headquarters) and Basrah (for a small United Nations detachment) have adequate working facilities and logistical support, with communications installed. Several projects related to infrastructure development for enhancing workspace and living accommodation in compliance with United Nations security standards have been undertaken. The Administration continues to provide support to the Independent Inquiry Committee on the Iraq oil-

for-food programme. The restrictions on the movement of United Nations staff as a result of the current security situation in the country highlight the continuing importance of the UNAMI offices in Kuwait and Jordan.

H. Agreements

67. During the reporting period, negotiations were concluded with Kuwait with a view to facilitating UNAMI activities in that country. It is hoped that the agreement will enter into force in the near future. An agreement for the UNAMI office in Jordan was signed and entered into force during the previous reporting period. A status-of-mission agreement with the Interim Government remains under negotiation. Bilateral agreements for logistical support services are currently under negotiation with the United States, the United Kingdom and other States that are contributing armed forces to the multinational force. I would like to thank the Governments of Iraq, Jordan, Kuwait, the United Kingdom and the United States for their continuing cooperation and support to the Mission under difficult circumstances.

I. Facilities

68. My Special Representative and his team, including an administrative detachment, are located in Baghdad. The humanitarian/reconstruction staff are co-located with the United Nations agencies in Amman. A logistics support base continues to operate from Kuwait. The Canal Hotel facility in Baghdad is being used to warehouse most of the equipment and supplies that were retained from the previous operation and now serves as a logistics base for the UNAMI headquarters at the Diwan School complex within the international zone in Baghdad. A number of national staff continue to work at the Canal Hotel facility, under extremely challenging conditions.

V. Observations

69. With the planned elections, Iraq is approaching a key point in the transitional political process. The Iraqi people have a shared interest in building a broad national consensus to realize the potential of a stable and unified Iraq at peace with itself, its neighbours and the wider international community.

70. Credible and inclusive elections are the keystone for achieving legitimacy and stability in Iraq. As such, they will be the foundation for the next chapter in Iraq's history. The men and women elected to the Transitional National Assembly are to be entrusted with writing the future of Iraq in the constitution. The kind of constitution that emerges will shape the country and, through it, the region for a long time to come. The Interim Government of Iraq has made a strong commitment to holding the elections and has supported the role of the Independent Electoral Commission in organizing and conducting the elections. I welcome this commitment and support.

71. The United Nations is playing a full role in helping with the technical and operational preparations for elections. Elections also require a conducive political and security environment, including the participation of all sectors of society and all

areas of the country. The widespread insecurity in Iraq, including intimidation, hostage-taking, targeted and indiscriminate attacks on civilians and brutal acts of terror, is a major obstacle. At the same time, while restoring security throughout Iraq has become an imperative need, the use of military force should be a last resort and undertaken in strict conformity with international humanitarian and human rights law.

72. The overriding concern of the United Nations is the safety and protection of civilians caught in the crossfire of the current conflict. It is essential that every effort be made at all times and by all sides to spare civilian lives and to provide immediate relief and assistance to those affected by violence and military action.

73. If elections are to have an optimal impact, there is a need for sustained political efforts aimed at making the transition as inclusive, participatory and transparent as possible. The electoral process must offer an opportunity for all Iraqis to participate in the constitutional process that is to follow. I welcome the efforts undertaken by the Interim Government of Iraq so far in this regard. I encourage the Interim Government, together with the Interim National Council, to reach out even more broadly to all segments of Iraqi society, in an effort to promote genuine political dialogue. The aim should be to create incentives for Iraqis to converge towards national reconciliation and peaceful political competition through the ballot box.

74. For all sides in Iraq, coming together as a people and talking to each other is the need of the hour. The political transition should be inclusive, so as to heal Iraq's wounds rather than prolong its suffering. Iraqis need to be reassured that the transition process is on track, enabling them to see light at the end of the tunnel. This requires simultaneous progress in three mutually reinforcing areas: the security, political and economic areas. The three dimensions should be addressed at the same time with equal attention.

75. It is time for the international community to close ranks in support of Iraq's political and economic reconstruction. The international community shares a compelling stake in seeing Iraq's political transition succeed. Resolution 1546 (2004) has given us common ground to achieve this goal.

76. The more Iraqis can be helped to help themselves, the better able they will be to regain full ownership of their own affairs. The challenge is for Iraq's neighbours, the international community and the United Nations each to play their part to help the Iraqis achieve their potential. Just as Iraqis must take leadership and ownership inside Iraq, the neighbouring countries must take the lead in helping to normalize Iraq's relations with the region and the international community. Neighbouring countries have legitimate concerns and should be heard. Iraq's neighbours need a stable Iraq as much as Iraq needs a stable region. Iraq and its neighbours have a mutual responsibility towards each other. The international ministerial meeting held on 23 November in Egypt and the meeting of Ministers of the Interior of Iraq's neighbours are important building blocks towards confidence-building.

77. The multinational force, which continues to be a major presence in the country, has been mandated by resolution 1546 (2004) to contribute to the maintenance of security and stability in Iraq in support of the political transition, especially for upcoming elections, and to provide security for the United Nations presence in Iraq. For its part, the United Nations, which has only a limited presence

because of the prevailing circumstances, is determined to do its utmost to implement the mandate entrusted to it under resolution 1546 (2004). We have remained engaged throughout the crisis, from both inside and outside Iraq. As circumstances permit, my Special Representative and UNAMI remain committed to doing everything possible, in fulfilment of our mandate, to support the Interim Government and the Iraqi people in the transition process.

78. I believe that the United Nations has been able to deliver effective support for Iraq's transition. In coordinating humanitarian and reconstruction assistance, as well as by ensuring that electoral preparations are in place, we continue to work closely with the Iraqi authorities. Every effort is being made, in consultation with the Interim Government and the multinational force, and taking into account the views and needs of Iraqi civil society, to maximize the possibilities for us fully to implement our mandate, while carefully assessing the risks we are facing.

79. With support inside and outside Iraq, I am confident we can do our part in helping the Iraqi people. For my part, I remain committed to doing my utmost, as circumstances permit, to help promote peace, stability and development in a unified Iraq. Seeing Iraq's transition succeed must be a common endeavour, shared by the Iraqi people and the international community as a whole.